

REGULAR MEETING  
February 12, 2001

The Regular Meeting of the Annapolis City Council was held on February 12, 2001 in the Council Chamber. Mayor Johnson called the meeting to order at 7:35 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke, Planning & Zoning Director Arason

**AWARDS AND PRESENTATIONS**

- C Mayor Johnson presented a Certificate of Distinguished Citizenship to Eugene Griffith in recognition of his career as the City's senior bus driver.
- C Mayor Johnson presented a Distinguished Business Certificate to Chevys Fresh Mex in recognition of disaster relief on behalf of the victims of the January 13, 2001 earthquake in El Salvador.
- C Mayor Johnson presented a Certificate of Distinguished Citizenship to Leonard A. Blackshear in recognition of his efforts as President of the Kunta Kinte-Alex Haley Foundation.
- C Mayor Johnson presented a Certificate of Distinguished Citizenship to Vincent O. Leggett in recognition of his efforts as Founder and President of the Blacks of the Chesapeake Foundation.
- C Mayor Johnson presented a Certificate of Distinguished Citizenship to Errol E. Brown, Sr., in recognition of his efforts as Vice President of the Blacks of the Chesapeake Foundation.
- C Mayor Johnson proclaimed February 12, 2001 as Philip L. Brown Appreciation Day.
- C Mayor Johnson proclaimed February 12, 2001 as Rachel H. Brown Appreciation Day.
- C Mayor Johnson presented a Certificate of Distinguished Citizenship to Alderman Samuel Gilmer in recognition of his long service as a member of the Annapolis City Council.

Alderman Sachs moved to adopt the agenda as presented. Seconded. CARRIED on voice vote.

Alderman Sachs moved to approve the Minutes of January 8, 2001 and January 22, 2001. Seconded. CARRIED on voice vote.

**PETITIONS, REPORTS AND COMMUNICATIONS**

- C **Compensation Review Commission** - Report and Recommendations

Michael P. Parker, Chair gave a brief presentation and answered questions by the Council.

Commission members Janis L. Erskine, Karen A. Liskey, George H. Spriggs, Jr., Thomas R. Hunt and Charles R. LoCascio were also present.

- C **Annapolis Regional Transportation Master Plan**

Shelley Row, P.E., 531 6<sup>th</sup> Street, Annapolis, Maryland 21403, representing the Transportation Board gave a brief presentation and answered questions from the Council.

Spoke in favor of GT-47-01 and the Annapolis Regional Transportation Master Plan

1. Douglas Lamborne, 522 Third Street, Annapolis, MD 21403
2. Sandy Hillyer, Pres., Murray Hill Resident's Association, 100 Lafayette Ave., Annapolis, MD 21401
3. Adam Gordon, Baltimore Regional Partnership, 1209 N. Calvert St., Baltimore, MD 21202
4. A. Scott Mobley, Annapolis Neck Peninsula Federation, 87 Tarragon Lane, Edgewater, MD 21037
5. Gilbert Renaut, Community Associations of Annapolis, 115 Monticello Avenue, Annapolis, MD 21401
6. Vickie Aube, 187 Prince George St., Annapolis, MD 21401
7. Josh Cohen, 304 Washington St., Annapolis, MD 21403
8. W. Minor Carter, Ward One., 39 Southgate Ave., Annapolis, MD 21401
9. Arthur F. Greenbaum, 7 Constitution Square, Annapolis, MD 21401
10. Louise Beauregard Meyers  
Christian Services USA  
P.O. Box 6041  
Annapolis, MD

Spoke in favor of Taxis & Industry

11. Terrence T. Averill  
Eastport Civic Association  
219 Chesapeake Ave.  
Annapolis, MD 21403

Spoke in favor of Parking and Transportation

12. Julie Stankivic  
906 Primrose Road, Apt. 204  
Annapolis, MD 21403

Spoke in favor of August Woods Property Purchase

13. Jennifer Funn  
Mermaids of Color, Inc.  
3359 Arundel on the Bay Rd.  
Annapolis, MD 2268

Spoke regarding restaurant proposal located on Clay St.

14. Walter J. Klein  
A&W Taxi  
12 Victory Parkway  
Annapolis, MD 21403

Spoke in favor of taxicab licensing

15. Judith Templeton  
W&P Nautical  
1695 Beech Lane  
Annapolis, MD 21401

Spoke in favor of O-30-00

16. Jane Sinclair  
Unity Gardens  
1715 Sinclair Rd.  
Crownsville, MD 21032

Spoke in favor of Unity Gardens Grant Program

17. W. Minor Carter  
Ward One  
39 Southgate Ave.  
Annapolis, MD 21401

Spoke in favor of, with amendments to, R-4-01

18. Sherod L. Earle, III  
1413 West Street  
Annapolis, MD 21401

Spoke against Compensation Review Commission - Report and Recommendations

19. Kirby J. McKinney  
GCSDC  
92 W. Washington  
Annapolis, MD 21401

Spoke in favor of By The Bay Café

20. Bertina Nick  
GCSDC  
92 W. Washington St.  
Annapolis, MD 21401

Spoke in favor of By The Bay Café

## **LEGISLATIVE ACTION**

### **CHARTER AMENDMENTS**

- CA-1-00**      **For the purpose of amending the Charter of the City of Annapolis to allow other employment of the mayoralty.**

Alderman Hammond moved to withdraw CA-1-00. Seconded. CARRIED on voice vote.

### **ORDINANCES**

- O-30-00**      **For the purpose of amending the configuration of the Annapolis harbor line outboard of 222 Severn Avenue; and all matters relating to said harbor line.**

Alderman Tolliver moved to adopt O-30-00 on second reading. Seconded.

The Environmental Matters Committee reported favorably on O-30-00.  
The Board of Port Wardens reported favorably on O-30-00.

The main motion CARRIED on voice vote.

Alderman Sachs moved to adopt O-30-00 on third reading. Seconded.

CARRIED on voice vote.

- O-31-00 For the purpose of amending the City Code of the City of Annapolis to allow other employment of the mayoralty; and matters generally relating to said allowance of other employment of the mayoralty.**

Alderman Hammond moved to withdraw O-31-00. Seconded. CARRIED on voice vote.

- O-3-01 For the purpose of establishing zoning classifications of R3, General Residence District and WMM, Waterfront Mixed Maritime District and Intensely Developed Area (IDA), Limited Development Area (LDA) and Resource Conservation Area (RCA) in the Critical Area Overlay zone for the property located on Chesapeake Harbour Drive off of Edgewood Road known as Chesapeake Harbour, contiguous to the existing boundary of the city of Annapolis; and all matters relating to said zoning map amendment.**

Alderman Sachs moved to adopt O-3-01 on first reading. Seconded. CARRIED on voice vote.

Planning & Zoning Director Arason was present and answered questions from the Council.

Referred to the Rules and City Government Committee

- O-4-01 For the purpose of prohibiting the discharging of firearms and fireworks in the city, with certain exceptions.**

Alderman Tolliver moved to adopt O-4-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee

- O-5-01 For the purpose of releasing whatever right, title and interest, if any, the City of Annapolis may have in the title to the Rosemary Avenue and Central Avenue street-ends; and all matters generally related to the release of such interest.**

Alderman Sachs moved to adopt O-5-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

- O-6-01 For the purpose of authorizing the lease of a portion of the City's former sewage treatment property known as the Edgewood Road Property to Foulger Pratt Construction, Inc.; authorizing the Mayor to sign the Lease Agreement attached hereto; and all matters relating to said lease.**

Alderman Fox moved to adopt O-6-01 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee

- O-8-01 For the purpose of changing the motor vehicle weight limits in residential district zones; and matters generally relating to said limits.**

Alderman Hammond moved to adopt O-8-01 on first reading. Seconded.  
CARRIED on voice vote.

Referred to the Public Safety Committee

## RESOLUTIONS

**R-29-00**      **For the purpose of authorizing the negotiation of a payment in lieu of property taxes assessed against the affordable housing units to be constructed by Homes on the Glen Limited Partnership; and all matters relating to said payment.**

Alderman Sachs moved to adopt R-29-00 on second reading. Seconded.  
CARRIED on voice vote.

**R-1-01**      **For the purpose of commending the efforts of the Eastport Historical Committee and supporting the Committee's proposal for an Annapolis Maritime Museum; and all matters relating to said proposal.**

Alderman Fox moved to adopt R-1-01 on second reading. Seconded.

Alderman McMillan moved to amend R-1-01 as follows:

### **No. 1**

On Page 1, line 15, strike "supporting"; add "accepting for review"

### **No. 2**

On Page 1, line 41, strike "supports"; add "recognizes"

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

**R-2-01**      **For the purpose of requesting the State of Maryland (the "State") to permit public parking on State owned parking facilities located within the City of Annapolis (the "City"); and all matters relating to said parking facilities.**

Alderman Moyer moved to adopt R-2-01 on second reading. Seconded.  
CARRIED on voice vote.

**R-4-01**      **For the purpose of supporting an Annapolis Wine, Jazz and Arts Festival to be held in the City of Annapolis; supporting legislation of the Maryland General Assembly to enable the City to issue a wine festival license committing the City to adopt the requisite City Ordinance(s) to permit the City's Alcoholic Beverage Control Board to issue a wine festival license for this event and all matters relating to said Festival.**

Alderman Hammond moved to adopt R-4-01 on first reading. Seconded.

Alderman Hammond moved to amend R-4-01 as follows:

**No. 1**

On Page 1, line 14 strike “Jazz and Arts”

**No. 2**

On Page 1, lines 16 -17 strike “supporting an Annapolis Wine, Jazz and Arts Festival to be held in the City of Annapolis;”

**No. 3**

On Page 1, line 18 strike “adopt”; add “consider”

**No. 4**

On Page 1, line 20 strike “for this event”

**No. 5**

On Page 1, line 42 strike “enact”; add “consider”

**No. 6**

On Page 2, line 2 strike “the Wine, Jazz and Arts Festival; support”

**No. 7**

On Page 2, line 4 strike “adopt”; add “consider”

**No. 8**

On Page 2, lines 5-6 strike “for this event as an indication that it will follow through and adopt the requisite legislation.”

**No. 9**

On Page 2, lines 9-13 strike “supports the efforts of the Annapolis Symphony Orchestra, the Anne Arundel County Cultural Arts Foundation and the Association of Maryland Wineries to establish and develop an Annapolis Wine, Jazz and Arts Festival to be held within the City of Annapolis.

**FURTHER RESOLVED THAT THE ANNAPOLIS CITY COUNCIL ”**

**No. 10**

On Page 2, line 19 strike “adopt”; add “consider”

**No. 11**

On Page 2, beginning on line 22, add “**FURTHER RESOLVED THAT THE ANNAPOLIS CITY COUNCIL** HEREBY REQUESTS THAT THE ENABLING LEGISLATION CURRENTLY BEFORE THE MARYLAND GENERAL ASSEMBLY BE AMENDED TO REMOVE ALL REFERENCES TO BEER,

ONLY ALLOW WINE MANUFACTURED IN MARYLAND, AND INCLUDE A TWO YEAR SUNSET CLAUSE.”

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

### **BUSINESS AND MISCELLANEOUS**

1. Supplemental Retirement Request - James Marshall

Alderman Sachs moved to approve a supplemental retirement request for James Marshall, former member of the Recreation and Parks Department. Seconded. CARRIED on voice vote.

2. Finance Committee Recommendations for Action dated January 18, 2001

Alderman Sachs moved to adopt the Finance Committee Recommendations for Action dated January 18, 2001. Seconded.

Without objection, GT-47-01 was discussed separately.

Alderman Sachs moved to adopt GT-47-01. Seconded.

Alderman Tolliver moved to amend GT-47-01 as follows:

Before a request for proposals is issued, the proposed RFP will be submitted to the City Council for discussion and consideration. The City Council may schedule a public hearing to solicit public comment on the proposed RFP. The proposed RFP will be subject to amendment by and approval of a majority of the members of the City Council. Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, Gilmer, Carter  
NAYS: Mayor Johnson, Aldermen Sachs, McMillan, Fox, Moyer  
DEFEATED: 4-5

Alderman Tolliver moved to amend GT-47-01 as follows:

The proposed study will be overseen by the City Council of Annapolis, with daily supervision delegated to the Department of Planning and Zoning. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to amend GT-47-01 as follows:

The expenditure of this appropriation is contingent of additional funds by the State and County governments, the combined contribution equal to \$500,000. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, Gilmer, McMillan, Carter  
NAYS: Mayor Johnson, Aldermen Sachs, Fox, Moyer  
CARRIED: 5-4

Alderman McMillan moved to amend GT-47-01 to place the Annapolis Regional Transportation Master Plan funds in a specific new account with a Planning and Zoning account number. Seconded. CARRIED on voice vote.

Alderman Sachs moved to adopt GT-47-01 as amended. Seconded. CARRIED on voice

vote.

3. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

4. Appointments

Alderman moved to confirm the Mayor's (re)appointments of the following individuals as set forth in a Memoranda dated:

1/23/01	Civil Service Board	Joseph F. Rodowsky
1/22/01	Environmental Commission	Nancy Susan Monza-Weiss
2/05/01	Ethics Commission	Thomas W. Binebrink
2/05/01	Ethics Commission	Frederick M. Paone
2/05/01	Ethics Commission	Marc Wirig
2/07/01	Historic Preservation Committee	Rev. Wendell O.E. Christopher, Sr.
1/31/01	Human Relations Commission	Eric Pickett
2/01/01	Human Relations Commission	Rosa L. Snowden
1/23/01	Port Wardens	Thomas J. DeKornfeld

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:06 p.m.

Deborah Heinbuch, CMC/AAE  
City Clerk